

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Mark W. Miles) Examiner: Barreca, Nicole
Serial No.: 10/074,562) Art Unit: 1756
Filed: February 12, 2002)
For: METHOD FOR FABRICATING A STRUCTURE)
FOR MICROELECTROMECHANICAL)
SYSTEMS (MEMS) DEVICE)

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 C.F.R. § 1.312(a)

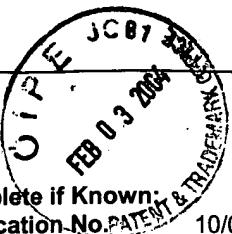
Dear Sir:

As a Comment on Statement of Reasons For Allowance, Applicant respectfully requests the following amendments to claims 1, 12, 13, and 19 be made, strictly for clarification in light of the Examiner's Statement of Reasons For Allowance, or to correct typographical errors.

All allowed claims are listed below for the convenience of the Examiner.

IN THE CLAIMS:

1. (Currently Amended) A microfabrication process for fabricating a microelectromechanical systems device, comprising:
 - depositing one or a stack of layers on a substrate;
 - patterning said one or a stack of layers to form a plurality of longitudinally extending grooves therein;
 - depositing a middle layer on said one or a stack of layers;



FEE TRANSMITTAL FOR FY 2004

(FY 2004 Begins 10/01/2003)

TOTAL AMOUNT OF PAYMENT (\$) 0.00

Complete if Known:

Application No. 10/074,562

Filing Date February 12, 2002

First Named Inventor Mark W. Miles

Examiner Name Barreca, Nicole

Art Unit 1756

Attorney Docket No. 005652.P005

Applicant claims small entity status. See 37 CFR 1.27.

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: _____

The Director is Authorized to do the following with respect to the above-identified Deposit Account:

Charge fee(s) indicated below.

Credit any overpayments.

Charge any additional fees during the pendency of this application.

Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.

Charge fee(s) indicated below except for the filing fee.

FEE CALCULATION

1. BASIC FILING FEE

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)	Utility application filing fee	_____
1001	770	2001	385	Design application filing fee	_____
1002	340	2002	170	Plant filing fee	_____
1003	530	2003	265	Reissue filing fee	_____
1004	770	2004	385	Provisional application filing fee	_____
1005	160	2005	80		

SUBTOTAL (1) \$ 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	- 20** = _____	X	= _____
Independent Claims	- 3** = _____	X	= _____
Multiple Dependent			= _____

**Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
1202	18	2202	9	Claims in excess of 20	_____
1201	86	2201	43	Indep nd nt claims in xc ss of 3	_____
1203	290	2203	145	Multipl dep nd nt claim, if not paid	_____
1204	86	2204	43	**R issu ind p nd nt claims over riginal pat nt	_____
1205	18	2205	9	**Reissu claims in xcess of 20 and v r original pat nt	_____

SUBTOTAL (2) \$ 0.00

FEE CALCULATION (continu d)

3. ADDITIONAL FEES

<u>Larg Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>F Paid</u>
Fee	Fee	Fee	
C de	(\$)	C d	\$)
1051	130	2051	65
1052	50	2052	25
1053	130	1053	130
1812	2,520	1812	2,520
1813	8,800	1813	8,800
1804	920*	1804	920*
1805	1,840*	1805	1,840*
1251	110	2251	55
1252	420	2252	210
1253	950	2253	475
1254	1,480	2254	740
1255	2,010	2255	1,005
1401	330	2401	165
1402	330	2402	165
1403	290	2403	145
1451	1,510	1451	1,510
1452	110	2452	55
1453	1,330	2453	665
1501	1,330	2501	665
1502	480	2502	240
1503	640	2503	320
1460	130	1460	130
1807	50	1807	50
1806	180	1806	180
8021	40	8021	40
1809	770	2809	385
1814	110	2814	55
1810	770	2810	385
1801	770	2801	385
1802	900	1802	900
1504	300	1504	300
1505	300	1505	300
1803	130	1803	130
1808	130	1808	130
1454	1,330	1454	1,330

Other fee (specify) _____

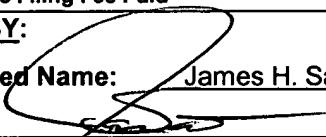
Other fee (specify) _____

SUBTOTAL (3) \$ 0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

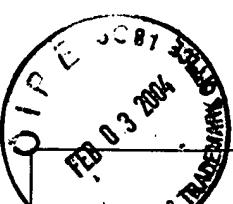
Typed or Printed Name: James H. Salter

Signature: 

Date: 1/29/04

Reg. Number: 35,668 Telephone Number: (408) 720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



B

AMENDMENT TRANSMITTAL

PATENT

Application No.: 10/074,562
Filing Date: February 12, 2002
First Named Inventor Mark W. Miles
Examiner's Name: Barreca, Nicole
Art Unit: 1756
Attorney Docket No.: 005652.P005

- An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- Preliminary Amendment
 Amendment/Response with respect to Office Action
 Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
 Notice of Appeal
 RCE (Request for Continued Examination)
 Supplemental Declaration
 Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
 Information Disclosure Statement (IDS)
 Copies of IDS citations
 Petition for Extension of Time
 Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
 Cross-Reference to Related Application(s)
 Certified Copy of Priority Document
 Other: Amendment Under 37 CFR 1.312(a)
 Other:
 Check(s)
 Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAPMAN LLP

TYPED OR PRINTED NAME: James H. Salter

SIGNATURE:

REG. NO.: 35,668

DATE: 1/29/04

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor

Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450
1-29-2004

Date of Deposit
Valerie J. Sterling

Valerie J. Sterling
Signature

Name of Person Mailing Correspondence

1-29-2004

Date

Express Mail Label No. (if applicable):

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/14/03)